

REMARKS

Applicants gratefully acknowledge the withdrawal of the finality of the previous Office Action and that our submission filed on November 24, 2008 has been entered, pursuant to a Request for Continued Examination.

Claims 1-3, 5-8, 10 and 12-14, and 16-20 are now pending in the application. Claims 1-3, 5-8, 10 and 12-14, 16-20 stand rejected. Claims 1, 12, and 19 have been amended. Support for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 102 & § 103

Claims 1-3, 5-8, 10, 12-14, 16-18, and 19-20 remain rejected under 35 U.S.C. § 102(b) as being anticipated by Smith et al. (GB Pat. No. 2 332 722), or in the alternative under 35 U.S.C. § 103(a) as obvious over Smith et al. in view of Kubicki (U.S. Pat. No. 2,435,144) or Huck (U.S. Pat. No. 2,030,169). Claims 4 and 15 remain rejected under 35 U.S.C. § 103(a) as obvious over Smith et al. in view Kubicki or Huck and in further view of Palm (U.S. Pat. No. 5,183,357). These rejections are respectfully traversed.

In rejecting the claims, the Office maintains the position that the Smith reference (GB 2 332 722) discloses a rivet with elongated slots that increase in width from an outer surface of the shank toward an inner surface of the tubular body. While Applicant traverses this characterization, in an effort to expedite prosecution, Applicant has amended the claims further to clarify this limitation.

The Examiner's attention is directed to independent Claims 1, 12, and 19 which have been amended to include the limitation "circumferential width." As shown in Figure 4 (see below) of the instant application, the rivet body (102) has three longitudinal extending grooves (112) extending inwardly from the end (114) of the rivet body remote from the head (108). These grooves (112) increase in circumferential width from an outer surface (127) of a shank (106) toward an inner surface (129) of the rivet body (102).

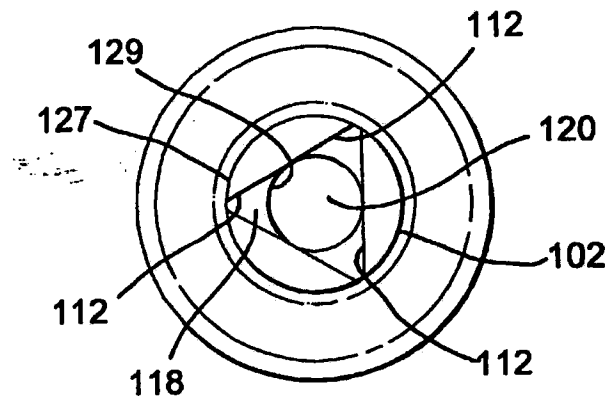


FIG.4

This is opposed to the cited structure, namely Figure 1 of the Smith reference, where the bases (18) of the slots (12) are inclined inwardly from the outer surface of the body (2) towards the inner surface of the body. Applicant respectfully submits that the surface (18) represents an increase in slot length as opposed to slot circumferential width as is claimed. As such, Applicant respectfully submits that the references cited do not disclose the claim limitation and, therefore, rejection under 35 U.S.C. §§102 and 103 is improper inasmuch as each limitation is not shown or described in each of the cited references.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Applicant respectfully requests a telephone interview to discuss the status of the application. The Examiner is invited to telephone the undersigned at (248) 641-1243.

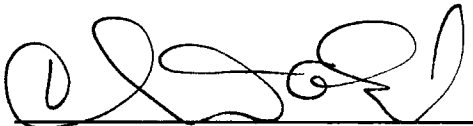
Respectfully submitted,

Dated: April 16-09

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